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Client Ref. No.:

PTO SB 01A (10-00)

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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventors, we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/061,944 filed on February 1, 2002
- ☐ as amended on \_\_\_\_\_ (if applicable);

We believe that I/we am/are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor 1 Thomas J. Schall Date: 6/06/02

Signature:  Citizen of: United States

Inventor 2 Mark E.T. Penfold Date: 5/21/02

Signature:  Citizen of: Australia

Inventor 3 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor 4 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on form(s) attached hereto

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<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	<b>Application Number</b>	10/061,944
	<b>Filing Date</b>	February 1, 2002
	<b>First Named Inventor</b>	Schall, Thomas J.
	<b>Title</b>	CHEMOMAGNETIC RETRIEVAL OF CMV AND CMV INFECTED CELLS
	<b>Group Art Unit</b>	1646
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	019934-003210US

I hereby appoint:

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☐ Practitioner(s) named below:

Name	Registration Number

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as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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Address

Address

City State ZIP

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Telephone Fax

I am the:

☐ Applicant Inventor

☒ Assignee of record of the entire interest. (See 37 CFR 3.71)

(Statement under 37 CFR 3.73 b is enclosed. Form PTO-SB 600)

**SIGNATURE of Applicant or Assignee of Record**

Name	Thomas J. Schall, President and Chief Executive Officer
Signature	
Date	6/06/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives are required. Signatures of attorneys if more than one signature is required, must be shown.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee ChemoCentryx, Inc.  
Application or Patent No. 10-061,944  
Date of Issue February 1, 2002  
Title Chemomagnetic Retrieval of CMV and CMV-Infected Cells

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I hereby declare that I am:

- ☐ the owner of the small business concern identified below  
☐ an official of the small business concern empowered to act on behalf of the concern identified below

Name of Small Business Concern ChemoCentryx, Inc.  
Address of Small Business Concern 1539 Industrial Road  
San Carlos, CA 94070

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(f), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Chemomagnetic Retrieval of CMV and CMV-Infected Cells by inventor(s) Thomas J. Schall, Mark F. T. Penfold described in:

- ☐ the specification filed herewith,  
☒ Application No. 10-061,944, filed February 1, 2002;  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below,\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

Name \_\_\_\_\_  
Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name \_\_\_\_\_  
Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(a)).

I solemnly declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true to the best of my knowledge and belief, and that these statements were made with the knowledge that willful false statements and the like can constitute perjury, and that the consequences of such perjury are severe. I understand that the consequences of such perjury are severe and that I am responsible for the truthfulness of the statements made herein.

Name of Person Signing Thomas J. Schall  
Title of Person Signing President and Chief Executive Officer  
Address of Person Signing 1539 Industrial Road  
San Carlos, CA 94070

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JUL 02 2002

STATEMENT UNDER 37 CFR 3.73(b)

Applicant Patent Owner: Thomas J. Schall, et al.

Application No./Patent No.: 10:061,944 Filed/Issue Date February 2, 2002

Entitled Chemomagnetic Retrieval of CMV and CMV Infected Cells

ChemoCentryx, Inc. a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. ☒ the assignee of the entire right, title, and interest; or
- 2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- 1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 3. From: \_\_\_\_\_ To: \_\_\_\_\_  
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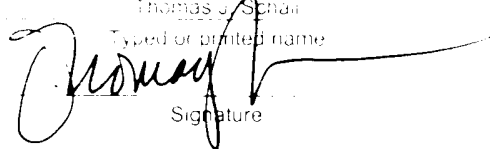
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee:

Date: \_\_\_\_\_

Thomas J. Schall  
Typed or printed name  
  
Signature

President and Chief Executive Officer  
Title

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ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Thomas J. Schall of 2050 Mill Avenue, Menlo Park, CA 94025; Mark E.T. Penfold, of 822 Calderon Avenue, Mountain View, CA 94041; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: Chemomagnetic Retrieval of CMV and CMV Infected Cells

Date(s) of execution of Declaration:

Filing Date: February 1, 2002

Application No.: 10,061,944; and

WHEREAS, ChemoCentryx, Inc., a corporation of the state of Delaware, located at 1539 Industrial Road, San Carlos, CA, 94070, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated

6/06/02

Thomas J. Schall

Dated

5/21/02

Mark E.T. Penfold